

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

OLIM ISLAMOV,)
)
)
Plaintiff,) 4:09CV3229
)
)
v.)
)
)
SVETLANA SERGEYEVNA) MEMORANDUM AND ORDER
UNGAR,)
)
)
Defendant.)

The defendant has moved to reconsider the court's denial of her motion to quash the plaintiff's garnishment proceedings. Filing No. [30](#). At most, the defendant claims the plaintiff's bankruptcy complaint failed to state a claim for monetary damages. See e.g., [Fed R. Civ. P. 12\(b\)\(6\)](#). This argument is fundamentally different than claiming the bankruptcy court lacked jurisdiction to award monetary damages in favor of the plaintiff and against the defendant. See e.g., [Fed. R. Civ. P. 12\(b\)\(1\)](#).

The bankruptcy court had jurisdiction over both the subject matter and person to enter a monetary judgment against the defendant. Whether it did so erroneously because the plaintiff never stated a claim for such recovery is a matter for appellate review, not collateral attack.

Accordingly,

IT IS ORDERED that the defendant's motion to reconsider, (filing no. [30](#)), is denied.

November 25, 2009.

BY THE COURT:

Richard G. Kopf
United States District Judge